

**ASSEMBLY BILL**

**No. 2303**

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**Introduced by Assembly Member Bloom**

February 21, 2014

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An act to add Article 11 (commencing with Section 33460) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to biliteracy education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2303, as introduced, Bloom. State Recognition and Awards Program in Linguistic Biliteracy.

Existing law requires the Superintendent of Public Instruction to award a State Seal of Biliteracy. Existing law provides that the State Seal of Biliteracy certifies attainment of a high level of proficiency by a graduating high school pupil in one or more languages, in addition to English, and certifies that the graduate meets specified criteria, including, but not limited to, passing the California Standards Test in English language arts administered in grade 11 at the proficient level or above. Existing law also requires a pupil in grades 9 to 12, inclusive, whose primary language is other than English, to meet these same requirements and to also attain the early advanced proficiency level on the English language development test in order to qualify for the State Seal of Biliteracy.

This bill would establish the State Recognition and Awards Program in Linguistic Biliteracy to be administered by the State Department of Education to recognize school districts demonstrating excellence in providing and supporting multiple opportunities for pupils to attain high achievement and linguistic biliteracy in grades 1 to 12, inclusive, through biliteracy programs, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:  
3     (1) In 2012, California became the first state in the nation to  
4 award a State Seal of Biliteracy, pursuant to Article 6 (commencing  
5 with Section 51460) of Chapter 3 of Part 28 of Division 4 of Title  
6 2 of the Education Code, to graduating seniors with demonstrated  
7 proficiency in two or more languages.  
8     (2) This groundbreaking step was acknowledgment of the  
9 economic and social value of multilingualism, the realities of a  
10 global century, and of the high level of academic achievement  
11 associated with attainment of literacy in multiple languages.  
12     (3) In the context of the rollout of new common core standards,  
13 the State Seal of Biliteracy also rounded out the very notion of  
14 college and career readiness for this diverse and global 21st century  
15 world.  
16     (4) Ten thousand Seals of Biliteracy were awarded in the first  
17 year for proficiency in 29 languages, including American Sign  
18 Language.  
19     (5) By June 2013, the number had more than doubled with 170  
20 school districts, 19 charter schools, and six county offices of  
21 education providing 21,655 awards to graduating seniors.  
22     (6) Across the nation, other states were inspired to follow  
23 California's lead. In 2013, New York and Illinois adopted State  
24 Seals of Biliteracy, and three additional states have pending  
25 legislation.  
26     (7) In addition to the establishment of the State Seal of  
27 Biliteracy, other major changes recognizing the benefits of  
28 biliteracy have occurred, including all of the following:  
29     (A) Increased numbers of two-way immersion programs in our  
30 public education system.  
31     (B) Adoption in 2009 of California's first World Language  
32 Content Standards providing direction for the state's world  
33 language programs and the acknowledgment for the need for  
34 developing "global competency."

1 (C) Inclusion of the recommendation to “ensure English literacy  
2 and biliteracy through a statewide campaign to better prepare  
3 parents and students to support literacy” in the Blueprint for Great  
4 Schools developed by the Transition Advisory Team of the  
5 Superintendent of Public Instruction Tom Torlakson in 2011.

6 (8) These changes have led to an increased awareness and  
7 acknowledgment of the benefits of multilingual proficiency and  
8 result in the desire for additional opportunities to obtain  
9 multilingual proficiency. However, these efforts are not enough.

10 (9) It is clear that increasing the number of graduating pupils  
11 with multilingual skills is critical for the economic and societal  
12 needs of our state.

13 (10) California needs people with biliteracy skills and  
14 cross-cultural competencies to work in and fuel our economy, to  
15 strengthen our social cohesion, and to enrich the quality of life in  
16 our communities.

17 (11) Pathways toward the global competency and linguistic  
18 skills pupil need to be established. These pathways can address a  
19 shortfall in needed skills in our communities and economy. It is a  
20 recognition of the vibrancy and value of cultural diversity, and it  
21 helps address the achievement gap for our English learners.

22 (12) California, the most ethnically and linguistically diverse  
23 state in the nation and the birthplace of the State Seal of Biliteracy,  
24 is the place to break new ground in the creation of comprehensive,  
25 articulated, and powerful pathways to biliteracy.

26 (13) A powerful first step in establishing these pathways is to  
27 provide state recognition to school districts that establish and  
28 maintain comprehensive, articulated pathways to biliteracy that  
29 include multiple entry points, provide a continuum of language  
30 development in prekindergarten, kindergarten, and grades 1 to 12,  
31 inclusive, and lead to the attainment of the State Seal of Biliteracy.

32 (b) It is therefore the intent of the Legislature to do both of the  
33 following:

34 (1) Establish state recognition and awards to school districts  
35 that provide multiple programs moving pupils through a language  
36 learning continuum of study that is well articulated and  
37 comprehensive for the purpose of attaining biliteracy by its pupils.

38 (2) Identify multiple pathways to biliteracy that school districts  
39 may utilize in developing its comprehensive biliteracy program.

1 SEC. 2. Article 11 (commencing with Section 33460) is added  
2 to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education  
3 Code, to read:

4  
5 Article 11. State Recognition and Awards Program in Linguistic  
6 Biliteracy  
7

8 33460. For purposes of this article, “biliteracy” means the  
9 ability to express oneself with clarity and cogency, to read and  
10 write cogently, and to compute and think critically in two or more  
11 languages. It includes the ability to function in and across language  
12 communities. For English learners, this includes the development  
13 of academic proficiency in the pupil’s primary language as well  
14 as in English.

15 33461. (a) The State Recognition and Awards Program in  
16 Linguistic Biliteracy is hereby established to be administered by  
17 the department to recognize school districts demonstrating  
18 excellence in providing and supporting multiple opportunities for  
19 pupils to attain high achievement and linguistic biliteracy in grades  
20 1 to 12, inclusive, through biliteracy programs.

21 (b) The department shall use appropriate state and federal  
22 moneys to implement this article.

23 33462. (a) The department shall recognize and award the  
24 governing board of a school district under the State Recognition  
25 and Awards Program in Linguistic Biliteracy if the school district  
26 meets any of the following criteria:

27 (1) Has established and maintained for pupils in grades 9 to 12,  
28 inclusive, for at least two years, a well-articulated State Seal of  
29 Biliteracy program meeting the requirements established in Section  
30 51461 and has established and maintained multiple pathways to  
31 biliteracy pursuant to Section 33463.

32 (2) Has established and maintained for pupils in prekindergarten,  
33 kindergarten, and grades 1 through 8, inclusive, a system of  
34 benchmarking progress and recognition of pupil participation and  
35 progress along a continuum toward high-level proficiency in two  
36 or more languages. This may include the creation of pathway  
37 awards aligned to milestones and critical developmental points  
38 along the pathway towards biliteracy, culminating in the awarding  
39 of the State Seal of Biliteracy at graduation from high school.  
40 Critical development points include, but are not limited to, the

1 completion of preschool, third grade, elementary school, and  
2 middle school.

3 (3) Has met the criteria of paragraphs (1) and (2) for pupils in  
4 prekindergarten, kindergarten, and grades 1 to 12, inclusive.

5 (b) In addition to the requirements of subdivision (a), a school  
6 district also shall meet all of the following criteria:

7 (1) Has a well-articulated plan for pupils in prekindergarten,  
8 kindergarten, and grades 1 to 12, inclusive, that describes the  
9 language programs that comprise a coherent set of language  
10 development opportunities. The plan shall include consideration  
11 of all of the following:

12 (A) Integration of English learner services with world language  
13 programs.

14 (B) The amount of time allotted to language study, sequencing,  
15 and articulation.

16 (C) Inclusion of multiple entry points into language learning.

17 (D) Equitable access to language learning.

18 (E) Inclusion of the different needs of groups of pupils and  
19 having specific strategies for English learners, standard English  
20 learners, heritage learners, and English monolingual pupils.

21 (F) Inclusion of a developmental window from 4 to 8 years of  
22 age, inclusive, for language learning in which pupils are able to  
23 develop native-like proficiency in multiple languages.

24 (G) Consideration of language priorities where the governing  
25 board of a school district has to carefully consider a balance  
26 between a desire to offer multiple languages and the realities of  
27 investment and space within school schedules to accommodate  
28 the sequence of courses involved in building to high levels of  
29 proficiency.

30 (2) Has supported quality implementation, including qualified  
31 language teachers; a retention, recruitment, and professional  
32 development system that results in identifying and hiring teachers  
33 with needed skills; collaboration and planning time for teachers  
34 to align and articulate the language curriculum across grade levels  
35 and schools; and providing teachers with professional development  
36 support to effectively implement research-based language strategies  
37 and methodologies.

38 (3) Has created a districtwide, communitywide, and school  
39 culture that celebrates language and cultural diversity in the pursuit  
40 of biliteracy as a needed 21st century skill.

33463. For purposes of demonstrating a school district qualifies for the State Recognition and Awards Program in Linguistic Bilitery, the governing board of a school district may implement the following program models for the study of world languages:

(a) “FLEX” (Foreign Language experience, exposure, enrichment, or exploratory) may be implemented for a regular schoolday or an extended schoolday for prekindergarten, kindergarten, and grades 1 to 8, inclusive, and includes all of the following:

- (1) Has classes that meet only once or twice a week.
- (2) Has classes that are introductory and provide exposure.
- (3) May be delivered during school or after school.
- (4) Introduces pupils to one or more languages and cultures other than their own in order to motivate them to pursue further language study.
- (5) Has varied objectives depending on the specific program, length of instruction, and type of instruction.

(b) “FLES” (Foreign Language in Elementary Schools) may be implemented as a period within a schoolday or an extended schoolday for kindergarten and grades 1 to 6, inclusive, and includes all of the following:

- (1) Are less intensive than immersion.
- (2) Teaches the target language for designated periods of time, but varies a great deal in the amount of time devoted to foreign language learning.
- (3) Follows the natural sequence of language learning of understand, speak, read, and write.
- (4) Does not include academic study through the language, but focuses on language study itself.
- (5) Has proficiency goals and pupil outcomes that vary according to the amount and type of instruction.
- (6) Provides initial instruction and exposure to a second language.

(7) Usually meets daily.

(8) Begins in kindergarten and continues through grade 6, but may begin in grade 2, grade 3, or grade 4.

(c) “Transitional Bilingual” may be implemented as a whole schoolday program for prekindergarten, kindergarten, and grades 1 to 3, inclusive, and includes all of the following:

- (1) Are for English learners.

(2) Provides academic instruction and initial literacy development in the home language along with English language development, with increasing amounts of the English language leading to full transition to the English language by the end of grade 3.

(3) Provides that the goal is not biliteracy but a transition to English.

(d) “Developmental Bilingual” may be implemented as a whole schoolday program for prekindergarten, kindergarten, and grades 1 to 5, inclusive, and includes all of the following:

(1) Has a program for English learners using both the English language and their first language for academic instruction and develops literacy skills in both languages.

(2) Includes an additive approach that continues through grade 5 and an attainment of threshold literacy skills in both languages.

(3) Has the goal of biliteracy.

(e) “Immersion” may be implemented as a whole schoolday program or a summer enrichment program for prekindergarten, kindergarten, and grades 1 to 12, inclusive, and includes all of the following:

(1) Provides that the target language is used for all academic instruction with the exception of language arts in English.

(2) Maintains a ratio of target language use to English language use as high as 80 percent to 20 percent throughout kindergarten and grades 1 to 6, inclusive.

(f) “Two-Way Immersion” (Dual Language) may be implemented as a whole schoolday program for prekindergarten, kindergarten, and grades 1 to 12, inclusive, and includes all of the following:

(1) Integrates native English language speakers and speakers of another language by providing instruction in both languages for all pupils.

(2) Promotes bilingualism and biliteracy, grade-level academic achievement, and positive cross-cultural attitudes and behaviors in all pupils.

(3) Has classes made up of roughly equal numbers of native speakers of English and native speakers of the target language.

(4) Has each language roughly one-half of the time for academic instruction in the 50/50 Two-Way Immersion model.

(5) Has the target language used for 90 percent of instruction in the early years, usually tapering to 50 percent by grade 4 in the 90/10 Two-Way Immersion model. At the secondary level, pupils continue to study academic content in the target language for at least two periods a day.

(6) Typically begins in kindergarten or grade 1 and lasts at least through grade 5, and preferably through grades 9 to 12, inclusive.

(g) “Native Speakers Courses” may be implemented as a period offered during a schoolday or after school for grades 6 to 12, inclusive, and includes all of the following:

(1) Designed to develop literacy, academic language, and proficient skills in a language other than English for native speakers of that language.

(2) Designed for pupils from homes in which the target language is spoken and for pupils who speak or understand the target language to some extent.

(3) Has the intent of these courses being to build on existing skills of pupils and help them develop full academic proficiency.

(4) Requires Advanced Placement language courses.

(h) “Heritage Language” may be implemented as a period offered during a schoolday or after school for kindergarten and grades 1 to 12, inclusive, and includes all of the following:

(1) Are additive programs that enable English-language-dominant pupils from language minority families to reclaim their heritage language and receive an education that incorporates a culturally responsive curriculum in school.

(2) Requires Advanced Placement language courses.

(i) “World Language Classes” may be implemented as a period offered during a schoolday or after school for grades 6 to 12, inclusive, and includes all of the following:

(1) Begins in middle school or high school.

(2) Has the curriculum aligned with the A to G requirements of the University of California.

(3) Requires the study of the same world language for two years in grades 9 to 12, inclusive, to meet the freshman admissions requirements for the University of California and the California State University.

(4) Requires Advanced Placement language classes.

(j) “Study Abroad, International Student Exchange Program” for grades 6 to 12, inclusive, includes both of the following:



- 1     (1) Provides world language pupils with opportunities to travel,  
2 live, and study for a short time in another nation.
- 3     (2) Includes trips sponsored by language clubs or language  
4 courses for a few weeks or full semester, live-abroad placement  
5 programs.

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